

**ORDINANCE NO. 04-259**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AMENDING THE LOS ALTOS MUNICIPAL CODE BY AMENDING  
CHAPTER 14.50 OF TITLE 14 PERTAINING TO THE  
COMMERCIAL THOROUGHFARE ZONING REGULATIONS**

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Chapter 14.50 of Title 14 of the Los Altos Municipal Code entitled "CT Commercial Thoroughfare District" is hereby amended to read as follows:

**14.50.010 CT Districts.**

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CT District.

**14.50.020 Specific purposes (CT).**

- A. To promote the economic and commercial success of Los Altos commercial districts; and
- B. To strengthen the city's economic base through promotion of El Camino Real for high revenue, destination commercial uses; and
- C. To encourage aggregation of parcels; and
- D. To buffer the impacts of commercial land uses on neighboring residential properties; and
- E. To emphasize a healthy proportion of retail uses as opposed to office and service uses; and
- F. To allow for mixed uses of commercial and residential.

**14.50.030 Permitted uses (CT).**

The following uses shall be permitted in the CT District:

- A. Retail and service establishments.
- B. Professional and administrative offices; and
- C. Restaurants, excluding drive-in facilities.

**14.50.040 Conditional uses (CT).**

The following uses shall be subject to the granting of a use permit in accordance with the provision of Chapter 14.80 of this title. Such use permit may be subject to periodic review.

- A. Animal clinics, hospitals, and kennels;
- B. Business, professional, and trade schools;
- C. Cocktail lounges;
- D. Commercial recreation establishments;
- E. Hotels and motels;
- F. Mixed use projects, including a combination of multiple-family dwelling units and nonresidential uses;
- G. Mortuaries;
- H. Multiple-family dwelling units;
- I. Music and dance studios;
- J. Pet shops;
- K. Printing shops; and
- L. Upholstery shops.

#### **14.50.050 Limited conditional uses (CT).**

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted except on parcels within one hundred (100) feet of an R District;

- A. Automotive display or salesrooms, servicing, and repair;
- B. Cabinet and carpenter shops;
- C. Drive-through facilities, including car washes;
- D. Service stations provided the site has at least 100 feet of frontage on a street with a minimum site area of 20,000 square feet;
- E. Sheet metal shops;
- F. Sign painting shops; and
- G. Theaters and auditoriums.

#### **14.50.060 Required conditions (CT).**

The following conditions shall be required of all uses in the CT District:

A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for recycling facilities, parking and loading areas, outdoor dining areas, nurseries, the sale of gasoline and oil at service stations, bus depots, or as permitted under the terms of a permit issued pursuant to Chapter 14.80 of this title.

B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, noise, vibration, illumination, glare, unsightliness or electrical disturbances which are manifested beyond the premises in which the permitted use is located.

C. No property owner, business owner or tenant shall permit or allow operation of a business, which violates the requirements of this chapter, including the following general criteria:

1. General screening standard. Every development shall provide sufficient screening to reasonably protect the privacy, safety and environment of neighboring residential properties and shield them from adverse external effects of that development.

Walls up to twelve (12) feet in height shall be required for the purpose of attenuating noise, odor, air pollution, artificial light, mitigation for grade differential between properties and providing privacy and safety.

2. Sites for screening of refuse collection. Every development will be required to provide suitable space for solid waste separation, collection and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.

3. Lighting. Lighting within any lot that unnecessarily illuminates any other lot or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting shall be designed to minimize the glare and intensity of external illumination, and to respect the privacy of neighbors by avoiding direct, and reflected, illumination onto adjacent properties.

4. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area Air Quality Management District shall comply with applicable state standards concerning air pollution.

5. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, or facilities required by this chapter or any permit issued in accordance with its provisions shall be required except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority.

6. Odors. No use may generate any odor that reasonably may be found objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area Air Quality Management District beyond the boundary occupied by the enterprise generating the odor.

All mechanical, venting and/or exhausting equipment that generates odors shall be located away from residential properties.

7. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code. All mechanical, venting, and/or exhausting equipment that generates noise shall be located away from residential properties. Exterior heating, venting and air conditioning facilities shall be muffled.

In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height shall be required at a commercial/residential interface.

**14.50.070 Site area (CT).**

The minimum site area shall be twenty thousand (20,000) square feet. The minimum site frontage shall be seventy-five (75) feet.

**14.50.080 Residential Density (CT).**

The maximum permitted residential density shall be thirty-eight (38) dwelling units per net acre of land.

**14.50.090 Front yard (CT).**

The minimum front yard depth shall be twenty-five (25) feet, with a minimum of fifty (50) percent of which shall be landscaped.

**14.50.100 Side yards (CT).**

No side yards shall be required, unless the property abuts an R district (excluding access corridors) in which case the following requirements shall apply:

- A. When the side property line of the site is across a street or alley from property in an R District, in which instance the minimum width of that side yard shall be thirty (30) feet.
- B. When the side property line of the site abuts on property in an R District, in which instance the minimum width of that side yard shall be forty (40) feet.
- C. A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below grade garage construction or excavation is permitted within this landscape buffer.

**14.50.110 Rear yard (CT).**

No rear yard shall be required, unless the property abuts an R district (excluding access corridors) in which case the following requirements shall apply:

- A. When the rear property line of the site is across a street or alley from property in an R District, the rear yard setback shall be thirty (30) feet for the first two floors and seventy (70) feet for any third floor.
- B. When the rear property line of the site abuts on property in an R District, the rear yard setback shall be forty (40) feet for the first two floors and one hundred (100) feet for any third floor.
- C. A minimum twenty (20) foot landscape buffer of evergreen trees and shrubs to provide screening shall be provided, all of which shall be permanently maintained by the property owner. No below grade garage construction or excavation is permitted within this landscape buffer.

**14.50.120 Off-street parking (CT).**

As provided in Chapter 14.74 of this title.

**14.50.130 Off-street loading (CT).**

As provided in Chapter 14.74 of this title.

**14.50.140 Height of structures (CT).**

No structure shall exceed two stories or thirty (30) feet in height, except for exclusively housing projects, or mixed-use projects that include a minimum of 40 percent housing, which shall not exceed three stories or thirty five (35) feet in height.

**14.50.150 Design control (CT).**

All structures in the CT District shall be subject to the provisions of Chapter 14.78 of this title.

A. No structure shall be built or altered including exterior changes in color, materials, and signage except as prescribed in Chapter 14.78 of this title.

B. Scale: Because of the relationship of this district to a larger region, a mixture of scales may be appropriate with some elements scaled for appreciation from the street and moving automobile and others for appreciation by pedestrians.

C. The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces.

D. The proportions of building elements at a commercial/residential interface shall be designed to limit bulk and to protect residential privacy (including but not limited to window placement), daylight and environmental quality.

E. Rooftop mechanical equipment must be within the height limit and screened architecturally from public view.

F. Firewalls: Consideration should be given to the aesthetic treatment of firewalls including increased side yard setback, contouring the firewall to the building, use of noncombustible roofing materials, and creative use of architectural features in the firewall.

**14.50.160 Signs (CT).**

As provided in Chapter 11.04 of Title 11.

**14.50.170 Fences (CT).**

As provided in Chapter 14.72 of this title.

**14.50.180 Nonconforming use regulations (CT).**

As provided in Chapter 14.66 of this title.

**SECTION 2. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 3. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on February 10, 2004 and was thereafter, at a regular meeting held on February 24, 2004 passed and adopted by the following vote:

Ayes: Cole, Packard, Casas, Lear, Moss  
Noes: None  
Absent: None

  
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John Moss, Mayor

Attest:

  
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Susan Kitchens, City Clerk